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9 Minneapolis, MN 55402

10 ATTORNEYS FOR PLAINTIFFS

11
12 **IN THE UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

13
14 Frank Foster, Phillip Wamock,
individually, on behalf of all others
15 similarly situated, and on behalf of the
general public,

16 Plaintiffs,

17 vs.

18 Nationwide Mutual Insurance Company,
19 Defendant.

Case No: 3:07-cv-04928-SI

NOTICE OF CONSENT FILING

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21
22
23 PLEASE TAKE NOTICE, that pursuant to 29 U.S.C. § 216, Plaintiffs hereby file the
24 attached Consent Form(s) for the following person(s):

25 Smith James

1 Dated: November 9, 2007

s/ Matthew C. Helland

2 **NICHOLS KASTER & ANDERSON, LLP**
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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

Foster et al v. Nationwide Mutual Insurance Company
Case No.3:07-cv-04928-SI

I hereby certify that on November 9, 2007, I caused the following document(s):

Notice of Consent Filing

to be served via ECF to the following:

Andrew J. Voss
Littler Mendelson, P.C.
80 South Eighth Street
1300 IDS Center
Minneapolis, MN 55402

Dated: November 9, 2007

s/ Matthew C. Helland

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1 **CONSENT FORM AND DECLARATION**

2 I hereby consent to join a lawsuit against Nationwide Insurance as a Plaintiff to assert
3 claims against it for violations of the wage and hour laws of the United States and/or the state(s)
4 where I worked for Nationwide Insurance. During the past three years, there were occasions when
5 I worked over 40 hours per week for Nationwide Insurance and did not receive overtime
6 compensation. I worked for Nationwide Insurance as a (please check all that apply):

- 7 ☐ Special Investigator
8 ☐ Senior Special Investigator
9 ☐ Special Investigator I
10 ☐ Special Investigator II
11 ☒ Special Investigator III

12 Approximate Dates of Employment 4/1/98 to 4/1/2006

13 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
14 correct.

15 J-M. Smith 11-5-07
16 Signature Date
17 James M. Smith
18 Print Name

19 REDACTED

20 Fax or Mail To:

21 Paul Lukas
22 Nichols Kaster & Anderson, PLLP
23 4600 IDS Center, 80 S. 8th Street
24 Minneapolis, MN 55402
25 FAX (612) 215-6870
26
27
28

CONSENT AND DECLARATION